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FACSIMILE COVER SHEET

TO: Examiner Christina Marks

COMPANY: PTO

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FROM: Kenneth C. Booth, Esq.

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MESSAGE: Proposed Discussion Topics for 09/941,347.

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|-------------|-----------------------------|-----------------|------------------|
| Applicant: | Ghela | Docket No.: | GHEL-0312 |
| Serial No.: | 09/941,347 | Group Art Unit: | 3713 |
| Filed: | 08/28/2001 | Examiner: | Marks, Christina |
| TITLE: | LOTTERY INSURANCE METHOD | Fax: | (703) 746-8770 |

**PROPOSED DISCUSSION TOPICS FOR
EXAMINER TELEPHONE CONFERENCE
ON OCT. 22, 2003, 4pm Eastern Time**

Attendees: Examiner C. Marks
Acting SPE Michael O'Neill

Kenneth C. Booth, attorney of record
Manu Ghela, inventor

Topics: Relating to most recent Office Action and pending claims.
1. Particularities of existing Congello and Pennsylvania lottery systems and distinctions from current claims.
a. Congello - col. 4, line 65 to col. 5, line 13, paying more or less does not affect actual jackpot, just purchaser's share of jackpot. Can't purchase insurance to cover taxes or immediate payout. If player purchases \$1.65 ticket, doesn't get 165% of jackpot if player is the only winner. Still only gets the jackpot amount.
b. Pennsylvania - The two Pennsylvania lotteries are separate lottery games with separate prizes based upon separate calculations, a separate number of distinct tickets is issued for each of those two lottery games, and the price for the tickets is the same in each game. This is done by reducing the odds of winning in the tax-covered game to increase the jackpot. The calculations, however, are necessarily kept separate from the non-tax-covered game. The allusions in the recent Office Actions that it would be obvious to combine these two games into a single lottery game (as claimed) with tickets at different prices to have insured tickets and uninsured tickets is quite a logical jump. It may be that we are not expressing the desired claim intent clearly enough in our responses, or that the specifics of the Pennsylvania systems are not coming out clearly in our writings, or that the Office is interpreting the claim language broader than we intend. Perhaps there is different claim language that would meet the needs of both the Office and the Inventor. The inventor is well versed in lottery systems and has made it clear that no one has made the type of logical jump the Examiner is proposing. We are unable to find in the references the motivation or the teachings alluded to in the Office Actions.